

**Draft Summary of the Environmental Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
March 27, 2002**

The Department of Water Resources (DWR) hosted the Environmental Work Group meeting on March 27, 2002 in Oroville.

A summary of the discussions, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present an informational summary for interested parties who could not attend the meeting. The following documents are provided

Attachment 1 Meeting Agenda  
Attachment 2 Meeting Attendees  
Attachment 3 Flip Chart Notes  
Attachment 4 Study Plans

**Introduction**

Attendees were welcomed to the Environmental Work Group meeting and objectives were discussed. The meeting agenda and list of meeting attendees with their affiliations are appended to this summary as Attachments 1 and 2, respectively. Meeting flip charts are included as Attachment 3.

**Cumulative Task Force Status Report**

Steve Ford, Resource Area Manager for DWR reported that the Cumulative Task Force met and discussed a draft cumulative approach document. Wayne Dyok of the consultant team incorporated the Task Force comments and the revised document was distributed Tuesday in advance of the next Task Force meeting. The next Cumulative Approach Task Force meeting is April 2<sup>nd</sup> from 12 – 3pm. A second document, sent out to the Task Force yesterday, presented a draft Endangered Species Act approach. Steve added the Task Force would focus on the ESA document after the Cumulative Approach document is completed. For additional Cumulative / ESA Task Force information, Steve suggested participants call Ted Alvarez at 916-653-7375.

**Critical Path Study Plans**

The study plans discussed at the Environmental Work Group meeting were distributed in advance of the meeting and at the meeting as a package (see Attachment 4).

*Water Quality – SP-W2 – Contaminant Accumulation in Fish, Sediments, and the Aquatic Food Chain*

Steve Ford explained that the Environmental Task Force met on March 18<sup>th</sup> to discuss Study Plan W2 and they made some progress but there were still some unresolved issues raised by US Fish and Wildlife Service (FWS) and National Marine Fisheries Service (NMFS). Concerns include the phasing approach for the collection and testing of sediment samples and the desire for an additional sampling location in the Oroville Wildlife Area. The group discussed the sediment sampling protocol and timing, archiving of collected samples for later analysis, and data applicability. FWS expressed their desire to collect the baseline sediment information at the same time as the fish tissue and water column sampling.

Steve proposed a compromise on the phasing of this Study Plan. He proposed to collect the sediment samples from the 15 sites at the same time as the fish tissue and water column sampling. The samples would be appropriately archived, pending fish tissue and water sample analyses. After review of the fish tissue and water column analyses, at least six of the sediment samples would be analyzed for at least mercury and PCBs. The number of constituents tested for could be adjusted depending on results of the fish tissue and water column analyses. Sharon Stohrer of

State Water Resources Control Board asked what the trigger would be that would cause the samples to be submitted for sampling. Steve Ford explained that the trigger would be based on the available standards and guidelines for constituents in question. Sharon suggested it would be good for the group to determine the triggers soon to save disagreements down the line. Steve agreed and suggested this should be discussed in a Task Force meeting.

A participant asked if the samples could be safely stored and how long they could be held before analysis. Jerry Boles with DWR responded that he would check with the laboratory.

Caesar Blanco of FWS explained that Gary Taylor also with FWS is interested in having a baseline so people in the future can look at the project and see if the levels have gone up or down. Tim Welch from FERC asked for clarification on what FWS is looking for. The Work Group agreed to break for lunch and continue side discussions about this Study Plan to try and reach a compromise agreeable to all.

After lunch, Wayne Dyok presented the compromise proposal: fish tissue, water column and sediment sampling will occur at all 15 sites, with a commitment to test for at least mercury and PCBs in six of the collected sediment samples. Depending on results from fish tissue and water column analysis, additional sites and/or constituents may be analyzed. Wayne Dyok added that for the record, DWR does not see the basis for this analysis other than to collect baseline data. Caesar Blanco stated that this is acceptable to FWS assuming that the archiving does not degrade the constituents. The 6 sites would be identified at a future Environmental Work Group meeting. Kane Totzke of Kern County Water Agency added for the record that the State Water Contractors do not agree with this and he does not understand the science behind it but can live with it if sampling is limited to this protocol. Steve Ford indicated that further discussions might be necessary with FWS and NMFS for specific sampling depth protocols.

The Environmental Work Group provided additional minor edits and approved SP-W2 to be forwarded to the Plenary Group.

#### *Fisheries – SP-F10*

Steve Ford gave an update on SP-F10. The DWR consultant team has been meeting with California Fish and Game (DFG) and others to gather the information needed to complete this Study Plan. They plan on distributing the most current version for the next Task Force meeting. Gary Taylor, FWS commented that the meetings have continued to be helpful and they are moving fast now to complete the document. This plan should be ready for Plenary Group review in May.

### **Study Plans**

Steve Ford explained that changes made to these study plans at this meeting would be incorporated into the plans tonight and distributed for heartburn review at the Plenary Group meeting tomorrow. Attachment 4 includes revisions to these study plans while the following sections describe highlights of the discussion of each one. The study plans were all approved for Plenary Group heartburn review.

#### *SP-T6 – Interagency Wildlife Management Coordination and Wildlife Management Plan Development*

Mike Meinz with DFG reported that he is happy with the entire plan. Christopher Clayton, representing MWD questioned the schedule that indicates Task 7 ending earlier than Task 6. Jim Sherar of the consultant team explained that these two tasks are not sequential. Steve explained that the DWR staff and consultants would make final adjustments to the study schedule once they have coordinated all of the study plans.

Christopher commented that there is wide variation between the results sections from study plan to study plan and requested a protocol for report management. He suggested the protocol address

progress reports, interim results reporting and interim and final reports. Steve agreed that report and data management protocols need to be developed and followed by all the study plans.

#### *SP-T8 – Project Effects on Non-Native Wildlife*

The participants discussed several issues with this study plan related to wildlife data collection. Christopher Clayton requested confirmation that the wildlife data collection is occurring under a separate study plan. Dave Bogener with DWR responded that is true for some species but not for all mammals. Chris stated that there should not be specific surveys and trapping associated with SP-T8. Jim Sherar with the consulting team asked for clarification of Woody Elliott and California Department of Parks and Recreation's position on this topic since all of these species are non-native. Woody explained that he feels it is critical information to collect because they are responsible for maintaining the natural habitat around the project so just a correlation to wildlife habitats in his opinion is not enough. The participants agreed on a qualitative assessment.

#### *SP-T10 – Effects of Project Features, Operations and Maintenance on Upland Plant Communities*

Christopher Clayton asked why recreation facilities were included in Section 5. Dave Bogener explained that the authors felt these locations are important areas that may have impacts.

#### *SP-T11 – Effects of Fuel Load Management and Fire Prevention on Wildlife*

Christopher Clayton asked if the first sentence under section 3 was appropriate. The participants decided to revise so the sentence would read, "The information collected in this study..."

#### *Water Quality*

##### *SP-W5 – Project Effects on Ground Water*

Steve Ford explained that this Study Plan has been through much iteration. Christopher Clayton stated that the Results section is well written and extremely detailed. He suggested this one is a good example of how the rest of the Results sections should be written.

##### *SP-W9 – Project Effects on Natural Protective Processes*

There was minimal discussion about SP-W9.

### **Action Items – March 7, 2002 Meeting Action Items**

A summary of the March 7, 2002 Environmental Work Group meeting is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

<b>Action Item #E46:</b>	Make global change in all study plans to change the descriptive headings 'direct' and 'indirect' when describing issues covered by the study plan.
Status:	This change has not been done to date. There was some discussion regarding the appropriate replacement term. The Environmental Work Group favors 'Issues Fully Addressed by Study Plan' and 'Issues Partially Addressed by Study Plan'. The change will be made globally for all Study Plans once they have all been reviewed and approved by the Plenary Group.

### **Next Steps**

Steve Ford explained that all of the plans discussed at this meeting would be taken to the Plenary Group for heartburn review tomorrow. There are two Environmental Task Force meetings scheduled for April 5<sup>th</sup> and 9<sup>th</sup>. Assuming that everything is approved with the Plenary Group, the study plans left to be discussed at the Task Force meetings are the fisheries study plans. Steve explained the sub-group of agency representatives and consulting team are still working on SP-F3.1 and SP-F3.2. F1, F2, F8 and F10 are currently scheduled to be discussed on April 5<sup>th</sup> however Steve suggested that the April 5<sup>th</sup> meeting be cancelled to allow further development of these study plans. If the study authors have the extra time to get them completed and distributed to the Task Force before the meeting, the discussion on April 9<sup>th</sup> could more likely result in approval.

Then, whatever comes out of the April 9<sup>th</sup> meeting will be distributed to both the Environmental Work Group and the Plenary Group. The Environmental Work Group agreed to this approach.

The participants also agreed to set two additional Task Force meetings to discuss the rest of the fisheries study plans. Additional meetings will be held on May 2<sup>nd</sup> to discuss F3.1, F3.2, F9 and F21 and on June 11<sup>th</sup> to discuss F15 and F4.

#### **Next Work Group Meeting**

The Environmental Work Group agreed to meet on:

Date: April 24, 2002

Time: 9:30 am – 3:30 pm

Location: Kelly Ridge Golf Course Meeting Room, 5131 Royal Oaks Drive, Oroville California

#### **Agreements Made**

The Environmental Work Group agreed to approve T6, T8, T10, T11, W2, W5 and W9 with revisions made today for submittal to the Plenary Group for heartburn review.

The Environmental Work Group agreed to cancel the April 5<sup>th</sup> Task Force meeting.

#### **Action Items**

The following list of action items identified by the Environmental Work Group includes a description of the action, the participant responsible for the action and item status.

**Action Item #E47:** Develop a report and data management protocol

**Responsible:** DWR

**Due Date:** June 2002